

Understanding the New Jersey Smoke-Free Air Act



Smoke-Free Indoor Public Places



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What is the Smoke-Free Air Act?

- Protects employees and the public from *secondhand smoke*.
- The new Smoke-Free Air Act (P.L. 2005, c.383) prohibits smoking in indoor public places and workplaces.
- With some exceptions, patrons and employees are free to smoke outdoors.
- The Smoke-Free Air Act goes into effect Saturday, April 15, 2006.



What is Secondhand Smoke – Why Should People be Protected?

- Secondhand smoke, also known as Environmental Tobacco Smoke (ETS), is the combination of smoke exhaled by a smoker and the smoke from a burning cigarette, pipe or cigar.
- This combination is dangerous for both the smoker and the nonsmoker.



Why is it Dangerous?



- Nonsmokers who breathe the smoke from other people's cigarettes can suffer serious illnesses as a result of their exposure.
- Secondhand smoke contains over 4,000 chemicals; including 200 poisons, and 69 known and probable cancer-causing substances. Secondhand smoke has been classified by the U.S. Environmental Protection Agency (EPA) as a known cause of cancer in humans (Group A carcinogen), putting it in the same category as asbestos, benzene and radon.
- The U.S. EPA estimates that secondhand smoke causes up to 62,000 deaths each year among nonsmokers in the United States, including 3,000 from lung cancer and 37,000 from heart disease. This includes between 1,000 and 1,800 New Jersey residents.

Why is Secondhand Smoke a Particular Concern with Children?



EPA estimates that secondhand smoke is responsible for between 150,000 and 300,000 lower respiratory tract infections in infants and children under 18 months of age annually, resulting in between 7,500 and 15,000 hospitalizations each year.

Secondhand smoke is harmful to children with asthma. The EPA estimates that for between 200,000 and one million asthmatic children, exposure to secondhand smoke worsens their condition.

Why is Secondhand Smoke a Particular Concern with Children? (cont.)

- Secondhand smoke can make healthy children less than 18 months of age sick; it can cause pneumonia, ear infections, bronchitis, coughing, wheezing and increased mucus production.
- According to the EPA, secondhand smoke can lead to the buildup of fluid in the middle ear, the most common cause of hospitalization of children for an operation.
- Infants exposed to secondhand smoke are at greater risk for Sudden Infant Death Syndrome (SIDS).



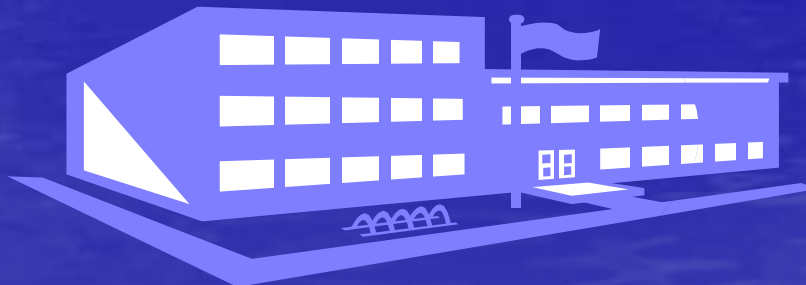
What Workplaces are Covered by the Smoke-Free Air Act?

- Any enclosed location at which a person performs any service or labor;
- Bars and restaurants;
- Public transportation including all ticketing, boarding platforms and waiting areas; trains, buses, vans, taxicabs and limousines;
- All public and nonpublic elementary and secondary school buildings, and all school grounds.



What Workplaces are Covered by the Smoke-Free Air Act? (cont.)

- Child care centers
- Health care facilities, patient waiting rooms and nursing homes;
- Sports facilities, including race tracks and bowling alleys;
- Theaters, clubs, concert halls, public libraries, museums and art galleries
- Shopping malls and retail stores;
- Parking facilities, lobbies, elevators, and lodging establishments, including hotels and motels; and
- Bingo facilities.



What Places are Not Covered?

- Private homes, private residences and private automobiles;
- Hotel, motels or other lodging establishments may permit smoking in up to 20% of guest rooms;
- Areas within the perimeters of casino gaming areas, and casino simulcasting facilities;



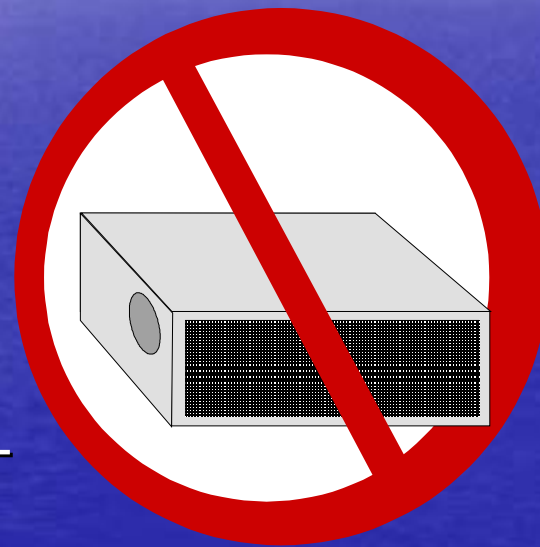
What Places are Not Covered? (cont.)

- Cigar bars or lounges that in calendar year ending December 31, 2004, generated 15% or more of total annual gross income from the sale of tobacco products;
- Tobacco retail establishments whose primary activity (51%) is the retail sale of tobacco products and accessories and the sale of other products is incidental.



What about ventilation options?

- No ventilation system adequately removes secondhand smoke from the air.
- Ventilation systems are not a legal alternative.
- Ventilation systems have NOT been shown to effectively protect workers or patrons from the health effects of secondhand smoke.



What Signage is Required?

- A “No Smoking” sign must be prominently posted at every public entrance and properly maintained where smoking is prohibited.
- Signs must state that violators may be fined.
- Signs must also be posted in areas where smoking is permitted.

What are the Penalties?

A person who smokes in violation of the Act
OR

A person in charge of an indoor public place
or workplace who refuses or fails to comply
with the Act are subject to the following:

- A fine of not less than \$250 for the first offense
- \$500 for the second offense, and
- \$1,000 for each subsequent offense.



How will the Act be Enforced?

- Compliance is the responsibility of the person having control of an indoor public place or workplace under this Act.
- Enforcement of the act will be achieved by a complaint system. Employees and the public may report violations of the Act to their local health department.

How can I help People Who Want to Quit Smoking?

- New Jersey provides free and low-cost services to help smokers succeed in quitting:

FREE

- * NJ Quitline @ 1-866-NJ-STOPS (1-866-657-8677)
- * NJ QuitNet @ www.nj.quitnet.com

LOW-COST

- * NJ Quitcenters – for location information visit www.nj.quitnet.com

All services provide personal, professional counseling and support.

- To create a “Quit Smoking Program” at work or in meeting places visit www.njquit2win.com for resources and tools.

How Can I Find More Information About the Smoke-Free Air Act?

- Visit: www.smokefree.nj.gov